

**CITY COUNCIL
ATLANTA, GEORGIA**

12.2

13-O-1019

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 5 WITH FORMMAKER SOFTWARE, INC., FOR FC-6005007966, BILL PAYMENT PRINT SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, TO EXTEND THE TERM OF THE AGREEMENT ON A MONTH-TO-MONTH BASIS FOR A PERIOD NOT TO EXCEED SIX (6) MONTHS; TO WAIVE THE ARTICLE X PROCUREMENT AND REAL ESTATE CODE OF CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

Review List:

Jo Ann Macrina	Completed	04/24/2013 1:02 PM
Patrick McShane	Completed	04/26/2013 11:55 AM
Mayor's Office	Completed	04/26/2013 12:08 PM
Office of Research and Policy Analysis	Completed	04/26/2013 3:17 PM
Finance/Executive Committee	Completed	05/07/2013 1:23 PM
Finance/Executive Committee	Completed	05/17/2013 4:05 PM
Atlanta City Council	Pending	
Atlanta City Council	Completed	05/17/2013 1:37 PM

HISTORY:

05/01/13 Finance/Executive Committee **REFERRED TO COMMITTEE** Next:
05/15/13

RESULT:	REFERRED TO COMMITTEE [UNANIMOUS]	Next: 5/15/2013 1:00 PM
AYES:	Watson, Wan, Moore, Adrean, Martin, Shook	

05/06/13 Atlanta City Council **REFERRED TO COMMITTEE**

RESULT:	REFERRED TO COMMITTEE [UNANIMOUS]	
AYES:	Watson, Wan, Martin, Smith, Shook, Winslow, Moore, Willis, Young Jr., Sheperd, Bottoms, Hall, Bond, Archibong, Adrean	

05/15/13 Finance/Executive Committee **APPROVED AS AMENDED**

RESULT:	APPROVED AS AMENDED [UNANIMOUS]	Next: 5/20/2013 1:00 PM
AYES:	Watson, Wan, Archibong, Moore, Adrean, Martin, Shook	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 5 WITH FORMMAKER SOFTWARE, INC., FOR FC-6005007966, BILL PAYMENT PRINT SERVICES, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, TO EXTEND THE TERM OF THE AGREEMENT ON A MONTH-TO-MONTH BASIS FOR A PERIOD NOT TO EXCEED SIX (6) MONTHS; TO WAIVE THE ARTICLE X PROCUREMENT AND REAL ESTATE CODE OF CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) entered into FC-6005007966, Bill Payment Print Services with Docucorp International, Inc. (“Agreement”), on behalf of the Department of Watershed Management (“Department”), pursuant to Resolution 05-R-1490; and

WHEREAS, the term of the agreement was for five (5) years with one (1) one (1) year renewal options to be exercised at the City’s sole discretion effective September 14, 2006 to September 13, 2011; and

WHEREAS, the City authorized Amendment No. 1 of the Agreement in an amount not to exceed One Million Dollars and No Cents (\$1,000,00.00), pursuant to Resolution 06-R-2641; and

WHEREAS, the City authorized Renewal No. 1 of the Agreement with a term of September 14, 2011 to September 13, 2012 in an amount not to exceed Five Hundred Ninety-Three Thousand, Eight Hundred Thirteen Dollars and Sixty-Nine Cents (\$593,813.69), pursuant to Resolution 10-R-1283; and

WHEREAS, the City executed a ninety (90) day extension that extended the term of the Agreement to December 22, 2012; and

WHEREAS, Docucorp International, Inc. assigned the Agreement to Formmaker Software, Inc., due to corporate acquisition; and

WHEREAS, the City entered into Amendment No. 2 of the Agreement to consent to the assignment of the Agreement to Formmaker Software, Inc. due to corporate acquisition; and

WHEREAS, the City entered into Amendment No. 3 of the Agreement to add additional funding in an amount not to exceed Four Hundred Six Thousand, One Hundred Eighty-Six Dollars and Forty Cents (\$406,186.40), pursuant to Resolution 11-R-0621; and

WHEREAS, the City entered into Amendment No. 4 of the Agreement to extend the term of the Agreement on a month-to-month basis for a period not to exceed six (6) months, pursuant to Ordinance No. 12-O-1243; and

WHEREAS, the Department has an ongoing need for Bill Payment Print Services; and

WHEREAS, the Commissioner of the Department of Watershed Management recommends entering into Amendment No. 5 for FC-6005007966, Bill Payment Print Services with Formmaker Software, Inc. until such services can be procured.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, *as follows*:

SECTION 1:

That the Mayor, or his authorized designee, is authorized to enter into Amendment No. 5 with Formmaker Software, Inc for FC-6005007966, Bill Payment Print Services, on behalf of the Department of Watershed Management, for the purpose of extending the term of the Agreement on a month-to-month basis for a period not to exceed six (6) months.

SECTION 2:

That Article X, Real Estate and Procurement Code, of the City of Atlanta Code of Ordinances, specifically including and without limitation, “Division 4. Source Selection and Contract Formation” is hereby waived to the extent applicable to meet the intent and purpose of this ordinance.

SECTION 3:

That the Chief Procurement Officer, in consultation with the City Attorney, is directed to prepare all appropriate documents for execution by the Mayor or his authorized designee.

SECTION 4:

That Amendment No. 5 will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, or his authorized designee, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Formmaker Software, Inc.

SECTION 5:

That all ordinances or parts of ordinances and sections of the City of Atlanta Code of Ordinances in conflict herewith are waived to the extent of the conflict.